

# **EXHIBIT F**

## **Cisco v. Arista**

### ***Dale Rough Draft***

***1/21/2016***

#### **Full-size Transcript**

#### **Prepared by:**

Jim Grossell  
Quinn Emanuel

Friday, January 22, 2016

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6  
7  
8 Redwood Shores, California;  
9 Thursday, January 21, 2016, 9:37 a.m.

10 \* \* \*

11 P R O C E E D I N G S

12 THE VIDEOGRAPHER: Good morning. We are on  
13 the record. This is the recorded video deposition of  
14 Lincoln Dale in the matter of Cisco Systems, Inc. Versus  
15 Arista Networks, Inc., taken on behalf of the plaintiff,  
16 Cisco. This deposition is taking place at Quinn,  
17 Emanuel, 555 Twin Dolphin Drive, 5th Floor, Redwood  
18 Shores, California, on January 21st, 2016. Time on the  
19 monitor is 9:37 a.m.

20 My name is Kevin McMahon. I'm the  
21 videographer with US Legal Support, located at  
22 44 Montgomery Street, Suite 550, San Francisco,  
23 California.

24 THE WITNESS: My name is Lincoln Dale.

25 MR. PAK: Sean Pak of Quinn, Emanuel

1           A.     I -- I don't, other than this was, what, how  
2     many years ago? 12 years ago? So I'm certainly not --  
3     I don't remember a lot of the details of the product,  
4     but I believe that this is accurate.

5           Q.     Okay. What is a graphical user interface, or  
6     GUI, as that term is used in this document?

7           A.     I would imagine it refers to a -- a management  
8     interface using a web browser.

9           Q.     And is that an alternative user interface for  
10    the CLI or CLI for networking equipment?

11          A.     Yeah, it might be. I mean, it might not be as  
12    well. There might have been functions that were  
13    available in the GUI but not in the command line and  
14    vice-versa. I don't remember the specifics for this  
15    product.

16          Q.     I'm talking generally at a high level, would  
17    you agree with me that having a CLI, a command line  
18    interface, is a different approach to user interface  
19    than having a graphical user interface for networking  
20    equipment?

21          A.     Yeah, I would agree with that.

22          Q.     Okay. And without getting into the details  
23    yet of which commands were specifically supported at a  
24    high level, you would agree, based on this document,  
25    that the Cisco SN 5420 had both a graphical user

1 you were familiar with generally the CLI commands that  
2 were supported by IOS and NX-OS operating systems from  
3 Cisco?

4 A. Yeah, and I guess at various times I guess the  
5 roles I performed, yeah, part of that and I would say a  
6 relatively minor part, sure, I might have been involved  
7 in aspects of command line interface.

8 Q. And you recall that some -- some engineers  
9 from time to time would approach you and ask for your  
10 input on how to specify a particular type of command  
11 expression for the IOS or NX-OS, you recall that?

12 A. I think I've certainly been approached with  
13 regard to some commands in NX-OS. I don't recall if I  
14 was involved or approached by engineers around commands  
15 in IOS.

16 Q. Okay. So let me -- with that clarification,  
17 let me just ask you the question with respect to NX-OS.

18 You recall, sir, that some engineers from time  
19 to time at Cisco would approach you for your input on  
20 how to specify a particular type of command expression  
21 for the NX-OS operating system from Cisco, correct?

22 A. Some engineers might have asked me for my  
23 opinion on commands in NX-OS.

24 Q. And you were generally familiar with the  
25 stylistic guidelines and preferences of Cisco when it

1 comes to specifying CLI commands, correct?

2 A. Broadly speaking. I seem to recall that there  
3 was a document that outlined the expression or the form  
4 that commands were meant to take. That said, I think my  
5 approach was always one of what made logically the most  
6 sense.

7 Q. And so for you even if the guidelines said  
8 something to you, you were making your own decisions  
9 about what you thought was logical or not; is that fair?

10 A. I would have certainly had my own opinion.  
11 Whether that was the direction that went down  
12 for any specific command, I don't recall the specifics.

13 Q. And you do recall that different engineers at  
14 Cisco had different opinions about how to express  
15 certain CLI commands?

16 A. Yeah, sure.

17 Q. And you had your opinions, other people at  
18 Cisco had their opinions on the same command  
19 functionality, correct?

20 A. Yeah, I mean, we might have had the opinions  
21 the same way, there are may have been different, it  
22 depends on the exact circumstances.

23 Q. The choice of a particular command expression  
24 for the CLI interface is a subjective choice, isn't it?

25 MR. SILBERT: Objection. Vague.

1 THE WITNESS: Can you be more specific?

2 BY MR. PAK:

3 Q. It's an individual choice, the individual  
4 engineer ultimately decides if he's responsible for the  
5 CLI command, the particular expression that he  
6 ultimately chooses; it's a subjective choice, correct?

7 A. I actually don't know if it comes down to the  
8 individual engineer or not. There might have been a  
9 process by which managers had to approve it, I don't  
10 honestly know.

11 Q. The initial -- let me break that into  
12 different parts.

13 The initial decision by an engineer to propose  
14 a CLI expression, that's an individual subjective  
15 choice, correct?

16 A. Sure. Someone needs to come up with a command  
17 to start with.

18 Q. And so you as an engineer at Cisco, if you  
19 were asked to express a CLI command expression for a  
20 particular functionality that was being added, you would  
21 come up with your preference and make a subjective  
22 choice based on what you thought was the best fit; is  
23 that true?

24 A. No, I don't -- I can think of cases where that  
25 wouldn't be correct. I think there's certainly been



1 cases where we've asked customers what they would like  
2 as commands or what they feel makes the most sense so  
3 it's not always up to an engineer to come up with that.)

4 Q. But it can be up to an engineer, you can have  
5 situations where an engineer can come with a particular  
6 command expression for a functionality in CLI that is  
7 his preference, correct?

8 A. I guess, sure.

9 Q. And when you were having these different  
10 opinions, those were your personal opinions and  
11 preferences for how a CLI command expression should be  
12 expressed, correct?

13 A. Yeah, sure, I guess so.

14 Q. Okay. And isn't it true that for any of these  
15 functional aspects of a switch or a router that you  
16 could have many different command expression for the  
17 same functionality?

18 A. It's possible, but in all honesty, a lot of  
19 these things just make logical sense. You wouldn't put  
20 commands not related to interfaces under interfaces.  
21 You couldn't put things not related to IP under IP,  
22 likewise something related to IP would make logical  
23 sense to put under IP.

24 Q. Granted. But even if those logical  
25 guidelines, how you choose certain words, what word,

1 the external factors that we talked about, it would just  
2 be a personal choice whether you liked "negotiate" or  
3 "negotiation" in terms of a CLI command expression?

4 MR. SILBERT: Same objections.

5 THE WITNESS: You're saying it as if it is a  
6 personal choice, and I don't think it is. The  
7 overriding judgment I think would be that you would look  
8 into standards and what the industry uses and use that  
9 as your guiding principle. You might talk to customers  
10 as well on whether they have an opinion.

11 BY MR. PAK:

12 Q. Let's say you did all that, you looked at the  
13 industry, whatever that might be, you looked at customer  
14 documentation or customer information, it doesn't tell  
15 you one way or the other on this particular issue, which  
16 one would you choose?

17 A. The chances are I think it would because I  
18 think there would be either a standard that says  
19 "negotiate" or "negotiation," for example.

20 Q. Let's assume there isn't.

21 A. I would choose whatever it said for  
22 preference.

23 Q. Your general policy is if there's an industry  
24 standard, whatever that might be, you would always  
25 choose that one without exception?

1 Arista has a policy of doing the same CLI syntax, just  
2 because everybody else is using the same CLI syntax,  
3 sometimes it makes its own decisions about the syntax  
4 that he wants to use for a CLI command expression,  
5 correct?

6 A. I think the overriding goal for any CLI  
7 command is what makes the most logical sense.

8 Q. So in a particular instance, if you believe  
9 that Cisco had made what you think is an illogical  
10 choice for a CLI syntax, it's possible that Arista may  
11 go a different direction and pick a different CLI  
12 expression for that same functionality, correct?

13 A. It might well be. I mean, it's highly likely  
14 we would, say, talk with a customer, ask them what will  
15 they thought, and, yeah, they might have a strong  
16 opinion that, yeah, it's not logical or it doesn't make  
17 sense.

18 Q. And you could talk to lots of customers and  
19 some of the customers may like the existing interface  
20 and others might like different interfaces; is that  
21 true?

22 A. Sure.

23 Q. Because customers could have their own views  
24 on what they think is logical or preferable; is that  
25 true?

1 A. Customers can certainly have their own  
2 opinions, but I think it's certainly clear when  
3 something is logical and when things make sense.

4 Q. People can disagree with you, just like here,  
5 right?

6 A. Well, I mean, to use an example from this  
7 previous document. There's an interface commands,  
8 commands that are specific to interfaces, it would not  
9 make logical sense to put them under anything other than  
10 interface.

11 Q. That's not my question, sir. My question is:  
12 Just because you think something is logical or illogical  
13 doesn't mean that every other engineer or customer would  
14 agree with your opinion, correct?

15 A. Sure. I can't speak for anyone other than  
16 myself.

17 Q. So somebody else, a customer could disagree  
18 with you and say, no, I think it's logical to me, I like  
19 that interface, you should keep it?

20 A. It's possible.

21 Q. And it's possible that other engineers at  
22 Arista could say: No, I disagree Dale, I don't think  
23 you're right, that's not the right choice, we like the  
24 existed interface?

25 A. It's possible, sure.

1 Q. Listen very carefully to my question. I'm  
2 talking about command line interface.

3 Sitting here today, you are not aware of a  
4 requirement, a mandatory requirement in the IEEE  
5 standard document for Ethernet that says: A vendor must  
6 use a command line interface to config the device in  
7 order to be compliant with that Internet or Ethernet  
8 standard, correct?

9 A. I'm not aware of whether the standard would  
10 say that or not. But I would say is there will be  
11 parts, for example, the Internet standard and it might  
12 be setting the speed of the device or settings some port  
13 parameters that you couldn't do unless you had some  
14 means of first configuring it.

15 Q. Fair enough.

16 A. It's a chicken-and-egg, you can't configure  
17 it, until you configure it so, the call won't come up  
18 until you configure it, so...

19 Q. I agree with you, Mr. Dale, that you need only  
20 configuration.

21 But what I'm getting at is sitting here today  
22 based on your understanding of these industry standards  
23 that are adopted by industry standard organizations, are  
24 you aware of a mandatory requirement that devices must  
25 use a particular type of command line interface?

1 A. I don't believe it's part of any standard. It  
2 could be.

3 Q. Sitting here today, are you aware of any such  
4 requirement in those particular standards?

5 A. I'm not but that doesn't mean it doesn't  
6 exist. You know, standards documents and standards body  
7 work is long and tedious. I've certainly not spent  
8 large amounts of time looking through those things.

9 Q. Okay. Now let's make sure, absolutely clear  
10 on the record. The Cisco CLI is not an industry  
11 standard that's been adopted by any industry  
12 organization, correct?

13 A. Those are your words, I would disagree with  
14 that statement.

15 Q. Industry standard organization, can you point  
16 to a single document that has been ratified by an  
17 industry standard organization which requires Cisco CLI?

18 A. No, I can't point at any time but it doesn't  
19 mean it doesn't exist.

20 Q. Has the IETF ever issued or ratified an  
21 industry standard document that says: Comply with the  
22 following set of CLI commands that are used by Cisco?

23 MR. SILBERT: Objection. Lacks foundation.

24 THE WITNESS: I don't know whether they have  
25 or haven't. I think there is a document within the ITF

1 that covers best practice that includes industry  
2 standard command lines for showing certain aspects. I  
3 don't know the wording around those commands. You'd  
4 have to be more specific.

5 BY MR. PAK:

6 Q. Has the IETF ever issued an industry standard  
7 document that requires, requires through a mandatory  
8 requirement that a vendor must use the CLI commands that  
9 are used by Cisco, to your knowledge?

10 MR. SILBERT: Same objection. Lacks  
11 foundation.

12 THE WITNESS: So I don't think at any point  
13 I've ever been part of the ITF so I'm certainly not  
14 across everything that they have or have not published.  
15 So it's difficult to answer the question with a  
16 definitive yes or a no.

17 BY MR. PAK:

18 Q. I'm just asking your knowledge sitting here  
19 today.

20 A. I don't think I've seen -- I don't think I've  
21 seen a standard from the IETF that, for example, lays  
22 out every command. But there may be documents out there  
23 that make recommendations.

24 Q. Have you seen any industry standard document  
25 ratified by the IEEE that as a mandatory requirement

1 requires vendors to use CLI commands from Cisco?

2 MR. SILBERT: Same objection. Lacks

3 foundation.

4 THE WITNESS: I'm not a member of the IEEE. I

5 think most of their standards are available for members.

6 So as I'm not a member it's a little bit hard for me to

7 comment on their standard documents. When generally

8 speaking I don't have access to I certainly don't have

9 access to the library of them.

10 BY MR. PAK:

11 Q. You've never seen an IEEE standards document?

12 A. I think I've seen parts of some documents.

13 But I think IEEE is a standards body has been around for

14 dozens of years, I don't know how many standards they

15 have. At best I've maybe looked at the small handful or

16 seen a small handful a small portion of a small handful

17 of these documents.

18 Q. All I'm asking for is your knowledge here

19 today.

20 Mr. Dale, based on your experience with

21 working with IEEE standards to whatever extent that

22 might be, are you aware of of a single IEEE document

23 that's been adopted by the IEEE industry standard

24 organization which mandatory requires vendors to use CLI

25 commands from Cisco sitting here today?



1           A.     So I'd reiterate what I've already said here  
2     and that is I'm not a member of the standards body in  
3     question, I don't have access to their library,  
4     generally speaking, I'm only seen -- probably worked  
5     with a small handful of their documents or standards.  
6     You're asking me to speculate what is possibly in  
7     documents I haven't seen or the sum of all of their  
8     documents. I can't speculate what may or may not be  
9     there.

10          Q.     Have you seen any such documents?

11          A.     I guess you're asking me to speculate again.

12          Q.     No, I'm not asking for speculation. I'm  
13     asking have you seen personally any IEEE document that  
14     says to be compliant with this standard from the IEEE  
15     you must use CLI commands from Cisco, have you seen such  
16     a document personally?

17          A.     I don't think I've seen any such document from  
18     the IEEE.

19          Q.     Okay. Have you personally seen any documents  
20     from the ACM that says to comply with an ACM standard  
21     you must use CLI commands from Cisco?

22          A.     Can you define who the ACM is?

23          Q.     Association of Computing Machinery. Are you  
24     familiar with that organization?

25          A.     Vaguely. I'm not a member. I can't speculate

1 "You're going to take that new config of  
2 Catalyst or Nexus and apply it in exactly  
3 the same way. But where we're a little  
4 bit different is you can go dash on the  
5 switch or a link at the point and because,  
6 for example, if config minus A and we  
7 substantiate into Linux the actual logical  
8 physical interfaces that are making up the  
9 switch itself. And why this is kind of  
10 neat is then you can run standard tools on  
11 this, and I guess to a server guy, it just  
12 looks like a server running Linux with  
13 lots of Ethernet interfaces."

14 BY MR. PAK:

15 Q. You made those statements, true?

16 A. Yes, I made those statements.

17 Q. So it's true that rather than go through a CLI  
18 interface an Arista customer could use the dash Linux  
19 shell to configuring some of the settings of an  
20 Arista Networks switch, correct?

21 A. You could configure some things in Linux, I  
22 don't think you could config everything. It's actually  
23 a little bit ironic, I was describing there, I think at  
24 that time was unique to Arista, I think Cisco does that  
25 now as well.

1 Q. Mr. Dale, my question is simple, it's possible  
2 that the Linux interface could be used by Arista  
3 customers to config at least some of the settings in  
4 Arista's operating systems rather than using the CLI  
5 interface, correct?

6 A. Yeah, I think within the extensible nature of  
7 EOS, the E in EOS, we enabled many ways that many  
8 customers could config things. There were certainly  
9 some things that could have been done in Linux and to  
10 quote the video or state what I talked about in the  
11 video I think I gave an example of config and looking at  
12 some interfaces.

13 That said, what I probably didn't cover in the  
14 video due to time was exactly what you could do and what  
15 you couldn't do. And it's certainly a subset of  
16 configuration items.

17 Q. And you do know that some of the Arista  
18 customers are using the Linux interface rather than  
19 using a CLI interference to config Arista switching  
20 equipment, correct?

21 A. It's a little hard to speculate what customers  
22 are or aren't doing. There are certainly some customers  
23 that probably use the Linux interface alongside the  
24 command line interface or maybe though use it along side  
25 other programmatic interfaces. As unlikely that a

1 single customer could only use the Linux way of  
2 configuring things because Linux doesn't have a concept  
3 of half of the things that a switch does. Linux itself  
4 is not a switch, it's an operating system.

5 MR. PAK: Thank you for your time today. I'll  
6 pass the witness for now.

7 MR. SILBERT: No questions.

8 THE VIDEOGRAPHER: This concludes today's  
9 deposition of Lincoln Dale on January 21st, 2016.

10 MR. PAK: Actually, I'm going to make one more  
11 comment on the record before we close out.

12 So Cisco reserves the right to continue this  
13 deposition pending the future production of the support  
14 watcher documentation that is at the issue of the  
15 parties' dispute.

16 MR. SILBERT: So just to address that we don't  
17 agree with that. And we did offer -- there's a long  
18 history of Cisco's changing its position on how it  
19 wanted to review those and we don't need to get into it,  
20 Sean, but we don't -- Arista doesn't agree with that  
21 information.

22 THE VIDEOGRAPHER: All right. We're going off  
23 the record. The time is now is 6:55 p.m. We are off  
24 the record.

25 ///